

IV - 41



RE: Spokane Tribe WQS-Idaho Consumption Rate

Jannine Jennings to: theodore knight
Cc: BJ Kieffer, brian
Bcc: Jannine Jennings

12/27/2011 10:30 AM

Ted

11AM Wednesday January 4 sounds good. Will you all be together in a single room where we could call you or would you like us to set up a conference line?

I look forward to our discussion.

Jannine

theodore knight Wednesday January 4 at 11AM will work for us. ... 12/22/2011 05:05:17 PM

From: theodore knight <theodoreknight@hotmail.com>
To: Jannine Jennings/R10/USEPA/US@EPA
Cc: BJ Kieffer <bjk@spokanetribe.com>, brian <crossley@spokanetribe.com>
Date: 12/22/2011 05:05 PM
Subject: RE: Spokane Tribe WQS-Idaho Consumption Rate

Wednesday January 4 at 11AM will work for us. However, all of the other times are fine if a change is needed.

Thanks,

Ted C. Knight

Attorney at Law
(509)953-1908
theodoreknight@hotmail.com

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> Subject: RE: Spokane Tribe WQS-Idaho Consumption Rate
> To: theodoreknight@hotmail.com
> CC: bjk@spokanetribe.com; crossley@spokanetribe.com
> From: Jennings.Jannine@epamail.epa.gov
> Date: Thu, 22 Dec 2011 10:40:18 -0800
>

> Ted
>
> I have checked schedules on this end and the following times would work
> best for us:
>
> Thursday Jan 5 at 2:00 or 3:00
> Wednesday Jan 4 at 11:00
> Tuesday Jan 3 at 2:00 or 3:00
>
> Please let me know if any of these times will work for you and if
> multiple times work, which is preferable. We will likely have the
> following people in attendance:
>
> Christine Psyk, Associate Director Office of Water and Watersheds,
> Ankur Tohan, Attorney, Office of Regional Counsel
> Lisa Macchio, Water Quality Standards Coordinator and Project lead
> Jannine Jennings, Manager Water Quality Standards Program
>
> Thank you for providing us with your main question in a clear, concise
> manner. We are currently looking into the issue in more depth and look
> forward to having further discussion with you.
>
> Jannine
>
>
>
> From: theodore knight <theodoreknight@hotmail.com>
> To: Jannine Jennings/R10/USEPA/US@EPA, BJ Kieffer
> <bjk@spokanetribe.com>, brian <crossley@spokanetribe.com>
> Date: 12/19/2011 11:36 AM
> Subject: RE: Spokane Tribe WQS-Idaho Consumption Rate
>
>
>
> It will be the Director of the Tribe's Department of Natural Resources,
> Brian Crossley, and me. I spoke with the Director and he is available
> for a conference call January 3-5.
>
> Thanks,
>
> Ted C. Knight
> Attorney at Law
> (509)953-1908
> theodoreknight@hotmail.com
>
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> sender accepts no responsibility.

>

>

> > Subject: Re: Spokane Tribe WQS-Idaho Consumption Rate
> > To: theodoreknight@hotmail.com
> > CC: bjk@spokanetribe.com; Psyk.Christine@epamail.epa.gov;
> crossley@spokanetribe.com; Macchio.Lisa@epamail.epa.gov;
> Soscia.Marylou@epamail.epa.gov; wseyler@spokanetribe.com
> > From: Jennings.Jannine@epamail.epa.gov
> > Date: Fri, 16 Dec 2011 12:46:21 -0800

> >

> > Ted

> >

> > Mary Lou is out of the office for two weeks. In her absence, I will
> > work with you to set up a discussion. Perhaps the best way to start is
> > for you to identify a few potential times that will work for you and
> > the
> > others who you would like to have involved from the Spokane Tribe and
> > email those to me. I can then work to match with availability on our
> > end. Christine Psyk, Associate Office Director, and myself, Water
> > Quality Standards Unit Manager, will be around during the next two
> > weeks
> > and our schedules during that time frame should be fairly open. If it
> > is best to wait until after the new year, I would like to find a time
> > the first week of January so that we can provide appropriate
> > consideration to the concerns we hear.

> >

> > When you respond it would also be helpful to understand what level you
> > desire this discussion to be at and who you project to be present for
> > the Tribe. If it would be best to do have the discussion at the staff
> > or lower management level or between legal staff, I can arrange for
> > similar participation from EPA. In preparing for this discussion it
> > would be helpful to know if the issue raised in your previous email is
> > the only issue that you would like to discuss or if there are also
> > other

> > parts of EPA's upcoming action that you would also like to discuss? If
> > there are also other issues, it would be helpful if you would also
> > identify those.

> >

> > I look forward to our discussions and learning more from you and the
> > Tribe.

> >

> > Jannine

> >

> >

> >

> >

> > From: Ted Knight <theodoreknight@hotmail.com>
> > To: Marylou Soscia/R10/USEPA/US@EPA
> > Cc: Lisa Macchio/R10/USEPA/US@EPA, Christine
> > Psyk/R10/USEPA/US@EPA, Jannine Jennings/R10/USEPA/US@EPA,
> > Warren Seyler <wseyler@spokanetribe.com>, brian Crossley
> > <crossley@spokanetribe.com>, Bj Kieffer
> > <bjk@spokanetribe.com>
> > Date: 12/16/2011 10:44 AM
> > Subject: Re: Spokane Tribe WQS-Idaho Consumption Rate

> >

> >

> >

> > Mary Lou,

> >

> > Can we set up a time to discuss the Idaho consumption rate in the next
> > few weeks?

> >

> > Thanks,

> >

> > Ted Knight

> >

> > Sent from my iPhone.

> >

> > On Dec 5, 2011, at 9:11 AM, Soscia.Marylou@epamail.epa.gov wrote:

> >

> > > Dear Ted: We would be glad to arrange another conversation with the
> > > Spokane Tribe if Brian is not available for the call.

> > >

> > > ml

> > >

> > >

> > >

> > > -----
> > > Mary Lou Soscia | Columbia River Coordinator | US EPA
> > > 805 S.W. Broadway, Suite 500 | Portland, OR 97205
> > > 503.326.5873
> > > www.epa.gov/region10/columbia | <https://twitter.com/EPAcolumbia>

> > >

> > >

> > >

> > >

> > > From: theodore knight <theodoreknight@hotmail.com>

> > > To: Marylou Soscia/R10/USEPA/US@EPA, brian

> > > <crossley@spokanetribe.com>

> > > Date: 12/02/2011 02:48 PM

> > > Subject: Spokane Tribe WQS-Idaho Consumption Rate

> > >

> > >

> > > Mary Lou,

> > >

> > > Brian Crossley will be on the December 7, 2011 call regarding

> > > Idaho's

> > > fish consumption rate, I unfortunately have another commitment that

> > > day. My concern is primarily with the problems that will arise if

> > > the

> > > 17.5 grams is approved. Primarily how EPA will view the below
> > > regulation.

> > >

> > > "40 CFR S 131.10(b) In designating uses of a water body and the
> > > appropriate criteria for those uses, the State shall take into
> > > consideration the water quality standards of downstream waters and
> > > shall ensure that its water quality standards provide for the
> > > attainment and maintenance of the water quality standards of
> > > downstream
> > > waters."

> > >

> > > As you are aware the Tribe's approved standards are set a 87.5 grams
> > > per
> > > day and the submitted but not yet approved standards are much
> > > higher.

> > > Furthermore, Washington's Department of Ecology recently released a
> > > report indicating that it would recommend a consumption rate of
> > > 157-267

> > > grams per day during its next WQS review. My concern is that if EPA
> > > approves the 17.5 grams per day for Idaho it is automatically
> > > setting

> > > up

> > > a situation for acrimony between all of the jurisdictions.

> > >

> > > If for some reason Brian is unable to be on the call would it be
> > > possible to schedule a call at a different time?

> > >

> > > Thanks,

> > >

> > > Ted C. Knight

> > > Attorney at Law

> > > (509)953-1908

> > > theodoreknight@hotmail.com

> > >

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